

111TH CONGRESS
1ST SESSION

H. R. 1022

To increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2009

Mr. SCHIFF (for himself and Mrs. BONO MACK) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Gang Prevention,
3 Intervention, and Suppression Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.

**TITLE I—NEW FEDERAL CRIMINAL LAWS NEEDED TO FIGHT
VIOLENT NATIONAL, INTERNATIONAL, REGIONAL, AND LOCAL
GANGS THAT AFFECT INTERSTATE AND FOREIGN COMMERCE**

Sec. 101. Revision and extension of penalties related to criminal street gang activity.

**TITLE II—VIOLENT CRIME REFORMS TO REDUCE GANG
VIOLENCE**

- Sec. 201. Murder and other violent crimes committed during and in relation to a drug trafficking crime.
- Sec. 202. Expansion of rebuttable presumption against release of persons charged with firearms offenses.
- Sec. 203. Statute of limitations for violent crimes and terrorism offenses.
- Sec. 204. Study of hearsay exception for forfeiture by wrongdoing.
- Sec. 205. Possession of firearms by dangerous felons.
- Sec. 206. Conforming amendment.
- Sec. 207. Prohibition on illegal gun transfers to commit drug trafficking crimes or crimes of violence.
- Sec. 208. Publicity campaign about new criminal penalties and gang-related outreach.
- Sec. 209. Predicate crimes for authorization of interception of wire, oral, and electronic communications.
- Sec. 210. Clarification of Hobbs Act.
- Sec. 211. Making personal information about certain witnesses and informants publicly available with unlawful intent.
- Sec. 212. Amendment of sentencing guidelines.

**TITLE III—INCREASED FEDERAL RESOURCES TO DETER AND
PREVENT SERIOUSLY AT-RISK YOUTH FROM JOINING ILLEGAL
STREET GANGS AND FOR OTHER PURPOSES**

- Sec. 301. Designation of and assistance for high intensity gang activity areas.
- Sec. 302. Gang prevention grants.
- Sec. 303. Enhancement of Project Safe Neighborhoods initiative to improve enforcement of criminal laws against violent gangs.
- Sec. 304. Additional resources needed by the Federal Bureau of Investigation to investigate and prosecute violent criminal street gangs.
- Sec. 305. Grants to prosecutors and law enforcement to combat violent crime.
- Sec. 306. Training at the National Advocacy Center.
- Sec. 307. Short-Term State Witness Protection Section.

Sec. 308. Witness protection services.

Sec. 309. Expansion of Federal witness relocation and protection program.

Sec. 310. Family abduction prevention grant program.

Sec. 311. Study on adolescent development and sentences in the Federal system.

TITLE IV—RESOURCES TO STRENGTHEN EMPLOYMENT AND EDUCATION OPPORTUNITIES FOR FORMER OFFENDERS

Sec. 401. Grants to assist juvenile offender reintegration projects.

Sec. 402. Employment and education grants to assist in reducing recidivism.

1 **SEC. 3. FINDINGS.**

2 Congress finds that—

3 (1) violent crime and drug trafficking are per-
4 vasive problems at the national, State, and local
5 level;

6 (2) according to recent Federal Bureau of In-
7 vestigation, Uniform Crime Reports, violent crime in
8 the United States is on the rise, with a 2.3 percent
9 increase in violent crime in 2005 (the largest in-
10 crease in the United States in 15 years) and an even
11 larger 3.7 percent jump during the first 6 months
12 of 2006, and the Police Executive Research Forum
13 reports that, among jurisdictions providing informa-
14 tion, homicides are up 10.21 percent, robberies are
15 up 12.27 percent, and aggravated assaults with fire-
16 arms are up 9.98 percent since 2004;

17 (3) these disturbing rises in violent crime are
18 attributable in part to the spread of criminal street
19 gangs and the willingness of gang members to com-
20 mit acts of violence and drug trafficking offenses;

1 (4) according to a recent National Drug Threat
2 Assessment, criminal street gangs are responsible for
3 much of the retail distribution of the cocaine, meth-
4 amphetamine, heroin, and other illegal drugs being
5 distributed in rural and urban communities through-
6 out the United States;

7 (5) gangs commit acts of violence or drug of-
8 fenses for numerous motives, such as membership in
9 or loyalty to the gang, for protecting gang territory,
10 and for profit;

11 (6) gang presence and intimidation, and the or-
12 ganized and repetitive nature of the crimes that
13 gangs and gang members commit, has a pernicious
14 effect on the free flow of interstate commercial ac-
15 tivities and directly affects the freedom and security
16 of communities plagued by gang activity, dimin-
17 ishing the value of property, inhibiting the desire of
18 national and multinational corporations to transact
19 business in those communities, and in a variety of
20 ways directly and substantially affecting interstate
21 and foreign commerce;

22 (7) gangs often recruit and utilize minors to en-
23 gage in acts of violence and other serious offenses
24 out of a belief that the criminal justice systems are
25 more lenient on juvenile offenders;

1 (8) gangs often intimidate and threaten wit-
2 nesses to prevent successful prosecutions;

3 (9) gangs prey upon and incorporate minors
4 into their ranks, exploiting the fact that adolescents
5 have immature decision-making capacity, therefore,
6 gang activity and recruitment can be reduced and
7 deterred through increased vigilance, appropriate
8 criminal penalties, partnerships between Federal and
9 State and local law enforcement, and proactive pre-
10 vention and intervention efforts, particularly tar-
11 geted at juveniles and young adults, prior to and
12 even during gang involvement;

13 (10) State and local prosecutors and law en-
14 forcement officers have enlisted the help of Congress
15 in the prevention, investigation, and prosecution of
16 gang crimes and in the protection of witnesses and
17 victims of gang crimes; and

18 (11) because State and local prosecutors and
19 law enforcement have the expertise, experience, and
20 connection to the community that is needed to assist
21 in combating gang violence, consultation and coordi-
22 nation between Federal, State, and local law enforce-
23 ment and collaboration with other community agen-
24 cies is critical to the successful prosecutions of

1 criminal street gangs and reduction of gang prob-
 2 lems.

3 **TITLE I—NEW FEDERAL CRIMI-**
 4 **NAL LAWS NEEDED TO FIGHT**
 5 **VIOLENT NATIONAL, INTER-**
 6 **NATIONAL, REGIONAL, AND**
 7 **LOCAL GANGS THAT AFFECT**
 8 **INTERSTATE AND FOREIGN**
 9 **COMMERCE**

10 **SEC. 101. REVISION AND EXTENSION OF PENALTIES RE-**
 11 **LATED TO CRIMINAL STREET GANG ACTIV-**
 12 **ITY.**

13 (a) IN GENERAL.—Chapter 26 of title 18, United
 14 States Code, is amended to read as follows:

15 **“CHAPTER 26—CRIMINAL STREET GANGS**

“Sec.

“521. Definitions.

“522. Criminal street gang prosecutions.

“523. Recruitment of persons to participate in a criminal street gang.

“524. Forfeiture.

16 **“§ 521. Definitions**

17 “In this chapter:

18 “(1) CRIMINAL STREET GANG.—The term
 19 ‘criminal street gang’ means a formal or informal
 20 group, organization, or association of 5 or more indi-
 21 viduals—

22 “(A) each of whom has committed at least
 23 1 gang crime; and

1 “(B) who collectively commit 3 or more
2 gang crimes (not less than 1 of which is a seri-
3 ous violent felony, and if fewer than 2 of which
4 are serious violent felonies, not less than 1 of
5 which is a violent felony) in furtherance of the
6 group, organization, or association, in separate
7 criminal episodes (not less than 1 of which oc-
8 curs after the date of enactment of the Gang
9 Prevention, Intervention, and Suppression Act,
10 and the last of which occurs not later than 5
11 years after the commission of a prior gang
12 crime).

13 “(2) GANG CRIME.—The term ‘gang crime’
14 means an offense under Federal law punishable by
15 imprisonment for more than 1 year, or a felony of-
16 fense under State law that is punishable by a term
17 of imprisonment of 5 years or more in any of the
18 following categories:

19 “(A) A crime that has as an element the
20 use, attempted use, or threatened use of phys-
21 ical force against the person of another, or is
22 burglary, arson, kidnapping, or extortion.

23 “(B) A crime involving obstruction of jus-
24 tice, or tampering with or retaliating against a
25 witness, victim, or informant.

1 “(C) A crime involving the manufacturing,
2 importing, distributing, possessing with intent
3 to distribute, or otherwise trafficking in a con-
4 trolled substance or listed chemical (as those
5 terms are defined in section 102 of the Con-
6 trolled Substances Act (21 U.S.C. 802)).

7 “(D) Any conduct punishable under—

8 “(i) section 844 (relating to explosive
9 materials);

10 “(ii) subsection (a)(1), (d), (g)(1)
11 (where the underlying conviction is a vio-
12 lent felony or a serious drug offense (as
13 those terms are defined in section 924(e)),
14 (g)(2), (g)(3), (g)(4), (g)(5), (g)(8), (g)(9),
15 (g)(10), (g)(11), (i), (j), (k), (n), (o), (p),
16 (q), (u), or (x) of section 922 (relating to
17 unlawful acts);

18 “(iii) subsection (b), (c), (g), (h), (k),
19 (l), (m), or (n) of section 924 (relating to
20 penalties);

21 “(iv) section 930 (relating to posses-
22 sion of firearms and dangerous weapons in
23 Federal facilities);

1 “(v) section 931 (relating to purchase,
2 ownership, or possession of body armor by
3 violent felons);

4 “(vi) sections 1028 and 1029 (relating
5 to fraud, identity theft, and related activity
6 in connection with identification documents
7 or access devices);

8 “(vii) section 1084 (relating to trans-
9 mission of wagering information);

10 “(viii) section 1952 (relating to inter-
11 state and foreign travel or transportation
12 in aid of racketeering enterprises);

13 “(ix) section 1956 (relating to the
14 laundering of monetary instruments);

15 “(x) section 1957 (relating to engag-
16 ing in monetary transactions in property
17 derived from specified unlawful activity);
18 or

19 “(xi) sections 2312 through 2315 (re-
20 lating to interstate transportation of stolen
21 motor vehicles or stolen property).

22 “(E) Any conduct punishable under section
23 274 (relating to bringing in and harboring cer-
24 tain aliens), section 277 (relating to aiding or
25 assisting certain aliens to enter the United

1 States), or section 278 (relating to importation
2 of aliens for immoral purposes) of the Immigra-
3 tion and Nationality Act (8 U.S.C. 1324, 1327,
4 and 1328).

5 “(F) Any crime involving aggravated sex-
6 ual abuse, sexual assault, pimping or pandering
7 involving prostitution, sexual exploitation of
8 children (including sections 2251, 2251A, 2252
9 and 2260), peonage, slavery, or trafficking in
10 persons (including sections 1581 through 1592)
11 and sections 2421 through 2427 (relating to
12 transport for illegal sexual activity).

13 “(3) MINOR.—The term ‘minor’ means an indi-
14 vidual who is less than 18 years of age.

15 “(4) SERIOUS VIOLENT FELONY.—The term
16 ‘serious violent felony’ has the meaning given that
17 term in section 3559.

18 “(5) STATE.—The term ‘State’ means each of
19 the several States of the United States, the District
20 of Columbia, and any commonwealth, territory, or
21 possession of the United States.

22 “(6) VIOLENT FELONY.—The term ‘violent fel-
23 ony’ means any offense that has as an element the
24 use of physical force against the person of another,

1 or is burglary, arson, kidnapping, or extortion, but
2 is not a serious violent felony.

3 **“§ 522. Criminal street gang prosecutions**

4 “(a) STREET GANG CRIME.—It shall be unlawful for
5 any person to knowingly commit, or conspire (with any
6 act to effect the object of the conspiracy), threaten, or at-
7 tempt to commit, a gang crime for the purpose of fur-
8 thering the activities of a criminal street gang, or gaining
9 entrance to or maintaining or increasing position in a
10 criminal street gang, or as consideration for anything of
11 pecuniary value to or from a criminal street gang, if the
12 activities of that criminal street gang occur in or affect
13 interstate or foreign commerce.

14 “(b) PENALTIES.—

15 “(1) COMMISSION; ATTEMPTS; CONSPIRACY
16 LEADERS.—Any person who commits, attempts to
17 commit, or conspires to commit (and occupies a po-
18 sition of organizer, a supervisory position, or any
19 other position of management within the criminal
20 street gang for such conspiracy) an offense described
21 under subsection (a) that is—

22 “(A) murder, kidnapping, or conduct that
23 would violate section 2241 if the conduct oc-
24 curred in the special maritime and territorial
25 jurisdiction of the United States, shall be fined

1 under this title and imprisoned for any term of
2 years or for life;

3 “(B) any other serious violent felony, shall
4 be fined under this title and imprisoned for not
5 more than 30 years;

6 “(C) any violent felony, shall be fined
7 under this title and imprisoned for not more
8 than 20 years; and

9 “(D) not described in subparagraphs (A)
10 through (C), shall be fined under this title and
11 imprisoned for not more than 10 years.

12 “(2) OTHER CONSPIRACY MEMBERS.—Any per-
13 son who conspires to commit (and who does not oc-
14 cupy a position of organizer, a supervisory position,
15 or any other position of management within the
16 criminal street gang for such conspiracy) an offense
17 described under subsection (a) that is—

18 “(A) murder, shall be fined under this title
19 and imprisoned for not more than 25 years; and

20 “(B) any other serious violent felony or
21 violent felony, shall be fined under this title and
22 imprisoned for not more than 15 years.

23 “(3) THREATS.—Any person who threatens to
24 commit an offense described under subsection (a)
25 that is—

1 “(A) described in subparagraphs (A)
 2 through (C) of paragraph (1), shall be fined
 3 under this title and imprisoned for not more
 4 than 10 years; and

5 “(B) not described in such subparagraphs,
 6 shall be fined under this title and imprisoned
 7 for not more than 8 years.

8 **“§ 523. Recruitment of persons to participate in a**
 9 **criminal street gang**

10 “(a) PROHIBITED ACTS.—It shall be unlawful to
 11 knowingly recruit, employ, solicit, induce, command, co-
 12 erce, or cause another person to be or remain as a member
 13 of a criminal street gang, or attempt or conspire to do
 14 so (with any act to effect the object of the conspiracy),
 15 with the intent to cause that person to participate in a
 16 gang crime, if the defendant travels in interstate or for-
 17 eign commerce in the course of the offense, or if the activi-
 18 ties of that criminal street gang are in or affect interstate
 19 or foreign commerce.

20 “(b) PENALTIES.—Whoever violates subsection (a)
 21 shall—

22 “(1) with respect to a person who is over 18
 23 years of age and who recruited, employed, solicited,
 24 induced, commanded, coerced, or caused a minor to
 25 participate or remain in a criminal street gang (or

1 conspired to do so while occupying a position of or-
2 ganizer, a supervisory position, or any other position
3 of management in such conspiracy)—

4 “(A) be fined under this title, imprisoned
5 not more than 10 years, or both; and

6 “(B) at the discretion of the sentencing
7 judge, be liable for any costs incurred by the
8 Federal Government, or by any State or local
9 government, for housing, maintaining, and
10 treating the minor until the person attains the
11 age of 18 years;

12 “(2) with respect to a person who induces, com-
13 mands, or coerces the participation or remaining in
14 a criminal street gang of another person (or con-
15 spires to do so while occupying a position of orga-
16 nizer, a supervisory position, or any other position of
17 management in such conspiracy) while incarcerated,
18 be fined under this title, imprisoned not more than
19 10 years, or both;

20 “(3) with respect to a person who conspires to
21 commit an offense described in paragraph (1) or (2)
22 (but who does not occupy a position of organizer, a
23 supervisory position, or any other position of man-
24 agement in such conspiracy), be fined under this
25 title, imprisoned not more than 7 years, or both;

1 “(4) with respect to a person who violates such
2 subsection and is not described in paragraph (1),
3 (2), or (3), (other than a person described in para-
4 graph (5)), be fined under this title, imprisoned not
5 more than 5 years, or both; and

6 “(5) with respect to a person who conspires to
7 commit an offense which violates such subsection
8 and is not described in paragraph (1), (2), or (3)
9 (but who does not occupy a position of organizer, a
10 supervisory position, or any other position of man-
11 agement in such conspiracy), be fined under this
12 title, imprisoned not more than 3 years, or both.

13 “(c) CONSECUTIVE NATURE OF PENALTIES.—Any
14 term of imprisonment imposed under subsection (b)(2)
15 shall be consecutive to any term imposed for any other
16 offense.

17 **“§ 524. Forfeiture**

18 “(a) CRIMINAL FORFEITURE.—A person who is con-
19 victed of a violation of this chapter shall forfeit to the
20 United States—

21 “(1) any property used, or intended to be used,
22 in any manner or part, to commit, or to facilitate
23 the commission of, the violation; and

1 “(2) any property constituting, or derived from,
2 any proceeds obtained, directly or indirectly, as a re-
3 sult of the violation.

4 “(b) PROCEDURES APPLICABLE.—Pursuant to sec-
5 tion 2461(c) of title 28, the provisions of section 413 of
6 the Controlled Substances Act (21 U.S.C. 853), except
7 subsections (a) and (d) of that section, shall apply to the
8 criminal forfeiture of property under this section.”.

9 (b) AMENDMENT RELATING TO PRIORITY OF FOR-
10 FEITURE OVER ORDERS FOR RESTITUTION.—Section
11 3663(c)(4) of title 18, United States Code, is amended
12 by striking “chapter 46 or” and inserting “chapter 26,
13 chapter 46, or”.

14 (c) MONEY LAUNDERING.—Section 1956(c)(7)(D) of
15 title 18, United States Code, is amended by inserting “,
16 section 522 (relating to criminal street gang prosecutions),
17 and 523 (relating to recruitment of persons to participate
18 in a criminal street gang)” before “, section 541”.

19 (d) AMENDMENT OF SPECIAL SENTENCING PROVI-
20 SION PROHIBITING PRISONER COMMUNICATIONS.—Sec-
21 tion 3582(d) of title 18, United States Code, is amended—

22 (1) by inserting “chapter 26 (criminal street
23 gangs),” before “chapter 95”; and

24 (2) by inserting “a criminal street gang or” be-
25 fore “an illegal enterprise”.

1 **TITLE II—VIOLENT CRIME RE-**
2 **FORMS TO REDUCE GANG VI-**
3 **OLENCE**

4 **SEC. 201. MURDER AND OTHER VIOLENT CRIMES COM-**
5 **MITTED DURING AND IN RELATION TO A**
6 **DRUG TRAFFICKING CRIME.**

7 (a) IN GENERAL.—Part D of the Controlled Sub-
8 stances Act (21 U.S.C. 841 et seq.) is amended by adding
9 at the end the following:

10 **“SEC. 424. MURDER AND OTHER VIOLENT CRIMES COM-**
11 **MITTED DURING AND IN RELATION TO A**
12 **DRUG TRAFFICKING CRIME.**

13 “(a) IN GENERAL.—Whoever, during and in relation
14 to any drug trafficking crime, knowingly commits any
15 crime of violence against any individual that is an offense
16 under Federal law punishable by imprisonment for more
17 than 1 year or a felony offense under State law that is
18 punishable by a term of imprisonment of 5 years or more,
19 or threatens, attempts or conspires to do so, shall be pun-
20 ished by a fine under title 18, United States Code, and—

21 “(1) for murder, kidnapping, or conduct that
22 would violate section 2241 if the conduct occurred in
23 the special maritime and territorial jurisdiction of
24 the United States, by imprisonment for any term of
25 years or for life;

1 “(2) for a serious violent felony (as defined in
2 section 3559 of title 18, United States Code) other
3 than a felony described in paragraph (1), by impris-
4 onment for not more than 30 years;

5 “(3) for a crime of violence that is not a serious
6 violent felony, by imprisonment for not more than
7 20 years;

8 “(4) for conspiring to commit a crime of vio-
9 lence, by imprisonment for not more than 10 years;
10 and

11 “(5) for threatening to commit a crime of vio-
12 lence, by imprisonment for not more than 8 years.

13 “(b) VENUE.—A prosecution for a violation of this
14 section may be brought in—

15 “(1) the judicial district in which the murder or
16 other crime of violence occurred; or

17 “(2) any judicial district in which the drug traf-
18 ficking crime may be prosecuted.

19 “(c) DEFINITIONS.—In this section—

20 “(1) the term ‘crime of violence’ means an of-
21 fense that has as an element the use of physical
22 force against the person of another; and

23 “(2) the term ‘drug trafficking crime’ has the
24 meaning given that term in section 924(c)(2) of title
25 18, United States Code.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
 2 for the Comprehensive Drug Abuse Prevention and Con-
 3 trol Act of 1970 (Public Law 91–513; 84 Stat. 1236) is
 4 amended by inserting after the item relating to section
 5 423, the following:

“Sec. 424. Murder and other violent crimes committed during and in relation
 to a drug trafficking crime.”.

6 **SEC. 202. EXPANSION OF REBUTTABLE PRESUMPTION**
 7 **AGAINST RELEASE OF PERSONS CHARGED**
 8 **WITH FIREARMS OFFENSES.**

9 Section 3142(e) of title 18, United States Code, is
 10 amended in the matter following paragraph (3), by insert-
 11 ing after “that the person committed” the following: “an
 12 offense under subsection (g)(1) (where the underlying con-
 13 viction is a drug trafficking crime or crime of violence (as
 14 those terms are defined in section 924(c))), (g)(2), (g)(3),
 15 (g)(4), (g)(5), (g)(8), (g)(9), (g)(10), or (g)(11) of section
 16 922,”.

17 **SEC. 203. STATUTE OF LIMITATIONS FOR VIOLENT CRIMES**
 18 **AND TERRORISM OFFENSES.**

19 (a) STATUTE OF LIMITATIONS FOR VIOLENT
 20 CRIMES.—Chapter 213 of title 18, United States Code,
 21 is amended by adding at the end the following:

22 **“§ 3299A. Violent crime offenses**

23 “No person shall be prosecuted, tried, or punished
 24 for any noncapital felony crime of violence, including any

1 racketeering activity or gang crime which involves any
 2 crime of violence, unless the indictment is found or the
 3 information is instituted not later than 8 years after the
 4 date on which the alleged violation occurred or the con-
 5 tinuing offense was completed.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
 7 at the beginning of chapter 213 of title 18, United States
 8 Code, is amended by adding at the end the following:

“3299A. Violent crime offenses.”.

9 (c) STATUTE OF LIMITATIONS FOR TERRORISM OF-
 10 FENSES.—Section 3286(a) of title 18, United States Code,
 11 is amended—

12 (1) in the subsection heading, by striking
 13 “EIGHT-YEAR” and inserting “TEN-YEAR”; and

14 (2) in the first sentence, by striking “8 years”
 15 and inserting “10 years”.

16 **SEC. 204. STUDY OF HEARSAY EXCEPTION FOR FOR-**
 17 **FEITURE BY WRONGDOING.**

18 The Judicial Conference of the United States shall
 19 study section 804(b) of the Federal Rules of Evidence to
 20 determine the necessity and desirability of amending that
 21 section, including the possible expansion of section
 22 804(b)(6), and shall make modifications as the Judicial
 23 Conference sees fit.

1 **SEC. 205. POSSESSION OF FIREARMS BY DANGEROUS FEL-**
2 **ONS.**

3 (a) IN GENERAL.—Section 924(e) of title 18, United
4 States Code, is amended by striking paragraph (1) and
5 inserting the following:

6 “(1) A person who violates subsection (g) of section
7 922 of this title and has previously been convicted by any
8 court referred to in section 922(g)(1) of a violent felony
9 or a serious drug offense shall—

10 “(A) in the case of 1 such prior conviction,
11 where a period of not more than 10 years has
12 elapsed since the later of the date of conviction and
13 the date of release of the person from imprisonment
14 for that conviction, be imprisoned for not more than
15 15 years, fined under this title, or both;

16 “(B) in the case of 2 such prior convictions,
17 committed on occasions different from one another,
18 and where a period of not more than 10 years has
19 elapsed since the later of the date of conviction and
20 the date of release of the person from imprisonment
21 for the most recent such conviction, be imprisoned
22 for not more than 20 years, fined under this title,
23 or both; and

24 “(C) in the case of 3 such prior convictions,
25 committed on occasions different from one another,
26 and where a period of not more than 10 years has

Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines to provide for an appropriate increase in the offense level for violations of section 922(g) of title 18, United States Code, in accordance with section 924(e) of that title 18, as amended by subsection (a).

The matter preceding paragraph (1) in section 922(d) of title 18, United States Code, is amended by inserting “, transfer,” after “sell”.

24 Section 924(h) of title 18, United States Code, is
25 amended to read as follows:

1 “(h) Whoever knowingly transfers a firearm that has
2 moved in or that otherwise affects interstate or foreign
3 commerce, knowing that the firearm will be used to com-
4 mit, or possessed in furtherance of, a crime of violence
5 (as defined in subsection (c)(3)) or drug trafficking crime
6 (as defined in subsection (c)(2)) shall be fined under this
7 title and imprisoned not more than 20 years.”.

8 **SEC. 208. PUBLICITY CAMPAIGN ABOUT NEW CRIMINAL**
9 **PENALTIES AND GANG-RELATED OUTREACH.**

10 (a) MEDIA CAMPAIGNS.—The Attorney General is
11 authorized to conduct media campaigns in any area des-
12 ignated as a high intensity gang activity area under sec-
13 tion 301 and any area with existing and emerging prob-
14 lems with gangs, as needed, to—

- 15 (1) educate individuals in that area about the
16 changes in criminal penalties made by this Act; and
17 (2) provide information to individuals in that
18 area about service providers in the community that
19 provide gang-involved or at-risk youth with positive
20 alternatives to gangs and other violent groups and
21 that address the needs of those who leave gangs and
22 other violent groups and those reentering society
23 from prison (including service providers experienced
24 at reaching youth and adults who have been involved
25 in violence and violent gangs or groups).

1 (b) REPORT.—The Attorney General shall report to
 2 the Committee on the Judiciary of the Senate and the
 3 Committee on the Judiciary of the House of Representa-
 4 tives the amount of expenditures and all other aspects of
 5 the media campaigns conducted under this section.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
 7 authorized to be appropriated to carry out this section
 8 \$10,000,000 for each of the fiscal years 2010 through
 9 2014.

10 **SEC. 209. PREDICATE CRIMES FOR AUTHORIZATION OF**
 11 **INTERCEPTION OF WIRE, ORAL, AND ELEC-**
 12 **TRONIC COMMUNICATIONS.**

13 Section 2516(1) of title 18, United States Code, is
 14 amended—

15 (1) by striking “or” and the end of paragraph
 16 (r);

17 (2) by redesignating paragraph (s) as para-
 18 graph (u); and

19 (3) by inserting after paragraph (r) the fol-
 20 lowing:

21 “(s) any violation of section 424 of the Con-
 22 trolled Substances Act (relating to murder and other
 23 violent crimes in furtherance of a drug trafficking
 24 crime);

25 “(t) any violation of section 522 or 523; or”.

1 **SEC. 210. CLARIFICATION OF HOBBS ACT.**

2 Section 1951(b) of title 18, United States Code, is
3 amended—

4 (1) in paragraph (1), by inserting “including
5 the unlawful impersonation of a law enforcement of-
6 ficer (as that term is defined in section 245(c) of
7 this title),” after “by means of actual or threatened
8 force,”; and

9 (2) in paragraph (2), by inserting “including
10 the unlawful impersonation of a law enforcement of-
11 ficer (as that term is defined in section 245(c) of
12 this title),” after “by wrongful use of actual or
13 threatened force,”.

14 **SEC. 211. MAKING PERSONAL INFORMATION ABOUT CER-**
15 **TAIN WITNESSES AND INFORMANTS PUB-**
16 **LICLY AVAILABLE WITH UNLAWFUL INTENT.**

17 (a) OFFENSE.—Whoever knowingly makes restricted
18 personal information about a covered individual, or a
19 member of the immediate family of that covered indi-
20 vidual, publicly available in or affecting interstate or for-
21 eign commerce—

22 (1) with the intent to threaten, intimidate, or
23 incite the commission of a crime of violence against
24 that covered individual, or a member of the imme-
25 diate family of that covered individual; or

1 (2) with the intent that the restricted personal
2 information will be used to threaten, intimidate, or
3 facilitate the commission of a crime of violence
4 against that covered individual, or a member of the
5 immediate family of that covered individual;
6 shall be fined under title 18, United States Code, impris-
7 oned not more than 10 years, or both.

8 (b) DEFINITIONS.—In this section—

9 (1) the term “restricted personal information”
10 means, with respect to an individual, the Social Se-
11 curity number, the home address, home phone num-
12 ber, mobile phone number, personal email, or home
13 fax number of that individual;

14 (2) the term “covered individual” means a wit-
15 ness or informant in a Federal or State criminal in-
16 vestigation or prosecution;

17 (3) the term “crime of violence” has the mean-
18 ing given that term in section 16 of title 18, United
19 States Code; and

20 (4) the term “immediate family” has the mean-
21 ing given that term in section 115(c)(2) of title 18,
22 United States Code.

23 **SEC. 212. AMENDMENT OF SENTENCING GUIDELINES.**

24 (a) IN GENERAL.—Pursuant to its authority under
25 section 994 of title 28, United States Code, and in accord-

1 ance with this section, the United States Sentencing Com-
2 mission shall review and, if appropriate, amend its guide-
3 lines and policy statements to conform with this title and
4 the amendments made by this title.

5 (b) REQUIREMENTS.—In carrying out this section,
6 the United States Sentencing Commission shall—

7 (1) establish new guidelines and policy state-
8 ments, as warranted, in order to implement new or
9 revised criminal offenses under this title and the
10 amendments made by this title;

11 (2) consider the extent to which the guidelines
12 and policy statements adequately address—

13 (A) whether the guidelines offense levels
14 and enhancements—

15 (i) are sufficient to deter and punish
16 such offenses; and

17 (ii) are adequate in view of the statu-
18 tory increases in penalties contained in this
19 title and the amendments made by this
20 title; and

21 (B) whether any existing or new specific
22 offense characteristics should be added to re-
23 flect congressional intent to increase penalties
24 for the offenses set forth in this title and the
25 amendments made by this title;

1 (3) consider whether specific offense character-
2 istics should be added to increase the guideline
3 range—

4 (A) by additional offense levels, if a crimi-
5 nal defendant committing a gang crime or gang
6 recruiting offense was an alien who was present
7 in the United States in violation of section 275
8 or 276 of the Immigration and Nationality Act
9 (8 U.S.C. 1325 and 1326) at the time the of-
10 fense was committed; and

11 (B) by further additional offense levels, if
12 such defendant had also previously been or-
13 dered removed or deported under the Immigra-
14 tion and Nationality Act (8 U.S.C. 1101 et
15 seq.) on the grounds of having committed a
16 crime;

17 (4) determine under what circumstances a sen-
18 tence of imprisonment imposed under this title or
19 the amendments made by this title shall run con-
20 secutively to any other sentence of imprisonment im-
21 posed for any other crime, except that the Commis-
22 sion shall ensure that a sentence of imprisonment
23 imposed under section 424 of the Controlled Sub-
24 stances Act (21 U.S.C. 841 et seq.), as added by
25 this Act, shall run consecutively, to an extent that

1 the Sentencing Commission determines appropriate,
2 to the sentence imposed for the underlying drug
3 trafficking offense;

4 (5) account for any aggravating or mitigating
5 circumstances that might justify exceptions to the
6 generally applicable sentencing ranges;

7 (6) ensure reasonable consistency with other
8 relevant directives, other sentencing guidelines, and
9 statutes;

10 (7) make any necessary and conforming
11 changes to the sentencing guidelines and policy
12 statements; and

13 (8) ensure that the guidelines adequately meet
14 the purposes of sentencing set forth in section
15 3553(a)(2) of title 18, United States Code.

16 **TITLE III—INCREASED FEDERAL**
17 **RESOURCES TO DETER AND**
18 **PREVENT SERIOUSLY AT-RISK**
19 **YOUTH FROM JOINING ILLE-**
20 **GAL STREET GANGS AND FOR**
21 **OTHER PURPOSES**

22 **SEC. 301. DESIGNATION OF AND ASSISTANCE FOR HIGH IN-**
23 **TENSITY GANG ACTIVITY AREAS.**

24 (a) DEFINITIONS.—In this section:

1 (1) GOVERNOR.—The term “Governor” means
2 a Governor of a State, the Mayor of the District of
3 Columbia, the tribal leader of an Indian tribe, or the
4 chief executive of a Commonwealth, territory, or pos-
5 session of the United States.

6 (2) HIGH INTENSITY GANG ACTIVITY AREA.—
7 The term “high intensity gang activity area” or
8 “HIGAA” means an area within 1 or more States
9 or Indian country that is designated as a high inten-
10 sity gang activity area under subsection (b)(1).

11 (3) INDIAN COUNTRY.—The term “Indian coun-
12 try” has the meaning given the term in section 1151
13 of title 18, United States Code.

14 (4) INDIAN TRIBE.—The term “Indian tribe”
15 has the meaning given the term in section 4(e) of
16 the Indian Self-Determination and Education Assist-
17 ance Act (25 U.S.C. 450b(e)).

18 (5) STATE.—The term “State” means a State
19 of the United States, the District of Columbia, and
20 any commonwealth, territory, or possession of the
21 United States.

22 (6) TRIBAL LEADER.—The term “tribal leader”
23 means the chief executive officer representing the
24 governing body of an Indian tribe.

25 (b) HIGH INTENSITY GANG ACTIVITY AREAS.—

1 (1) DESIGNATION.—The Attorney General,
2 after consultation with the Governors of appropriate
3 States, may designate as high intensity gang activity
4 areas, specific areas that are located within 1 or
5 more States, which may consist of 1 or more munici-
6 palities, counties, or other jurisdictions as appro-
7 priate.

8 (2) ASSISTANCE.—In order to provide Federal
9 assistance to high intensity gang activity areas, the
10 Attorney General shall—

11 (A) establish local collaborative working
12 groups, which shall include—

13 (i) criminal street gang enforcement
14 teams, consisting of Federal, State, tribal,
15 and local law enforcement authorities, for
16 the coordinated investigation, disruption,
17 apprehension, and prosecution of criminal
18 street gangs and offenders in each high in-
19 tensity gang activity area;

20 (ii) educational, community, and faith
21 leaders in the area;

22 (iii) service providers in the commu-
23 nity, including those experienced at reach-
24 ing youth and adults who have been in-
25 volved in violence and violent gangs or

1 groups, to provide gang-involved or seri-
2 ously at-risk youth with positive alter-
3 natives to gangs and other violent groups
4 and to address the needs of those who
5 leave gangs and other violent groups, and
6 those reentering society from prison; and

7 (iv) evaluation teams to research and
8 collect information, assess data, rec-
9 ommend adjustments, and generally assure
10 the accountability and effectiveness of pro-
11 gram implementation;

12 (B) direct the reassignment or detailing
13 from any Federal department or agency (sub-
14 ject to the approval of the head of that depart-
15 ment or agency, in the case of a department or
16 agency other than the Department of Justice)
17 of personnel to each criminal street gang en-
18 forcement team;

19 (C) direct the reassignment or detailing of
20 representatives from—

21 (i) the Department of Justice;

22 (ii) the Department of Education;

23 (iii) the Department of Labor;

24 (iv) the Department of Health and
25 Human Services;

1 (v) the Department of Housing and
2 Urban Development; and

3 (vi) any other Federal department or
4 agency;

5 (subject to the approval of the head of that de-
6 partment or agency, in the case of a depart-
7 ment or agency other than the Department of
8 Justice) to each high intensity gang activity
9 area to identify and coordinate efforts to access
10 Federal programs and resources available to
11 provide gang prevention, intervention, and re-
12 entry assistance;

13 (D) prioritize and administer the Federal
14 program and resource requests made by the
15 local collaborative working group established
16 under subparagraph (A) for each high intensity
17 gang activity area;

18 (E) provide all necessary funding for the
19 operation of each local collaborative working
20 group in each high intensity gang activity area;
21 and

22 (F) provide all necessary funding for na-
23 tional and regional meetings of local collabo-
24 rative working groups, criminal street gang en-
25 forcement teams, and educational, community,

1 social service, faith-based, and all other related
2 organizations, as needed, to ensure effective op-
3 eration of such teams through the sharing of
4 intelligence and best practices and for any other
5 related purpose.

6 (3) COMPOSITION OF CRIMINAL STREET GANG
7 ENFORCEMENT TEAM.—Each team established
8 under paragraph (2)(A)(i) shall consist of agents
9 and officers, where feasible, from—

10 (A) the Federal Bureau of Investigation;

11 (B) the Drug Enforcement Administration;

12 (C) the Bureau of Alcohol, Tobacco, Fire-
13 arms, and Explosives;

14 (D) the United States Marshals Service;

15 (E) the Department of Homeland Security;

16 (F) the Department of Housing and Urban
17 Development;

18 (G) State, local, and, where appropriate,
19 tribal law enforcement;

20 (H) Federal, State, and local prosecutors;

21 and

22 (I) the Bureau of Indian Affairs, Office of
23 Law Enforcement Services, where appropriate.

24 (4) CRITERIA FOR DESIGNATION.—In consid-
25 ering an area for designation as a high intensity

1 gang activity area under this section, the Attorney
2 General shall consider—

3 (A) the current and predicted levels of
4 gang crime activity in the area;

5 (B) the extent to which qualitative and
6 quantitative data indicate that violent crime in
7 the area is related to criminal street gang activ-
8 ity, such as murder, robbery, assaults,
9 carjacking, arson, kidnapping, extortion, drug
10 trafficking, and other criminal activity;

11 (C) the extent to which State, local, and,
12 where appropriate, tribal law enforcement agen-
13 cies, schools, community groups, social service
14 agencies, job agencies, faith-based organiza-
15 tions, and other organizations have committed
16 resources to—

17 (i) respond to the gang crime prob-
18 lem; and

19 (ii) participate in a gang enforcement
20 team;

21 (D) the extent to which a significant in-
22 crease in the allocation of Federal resources
23 would enhance local response to the gang crime
24 activities in the area;

25 (E) whether the area—

1 (i) has a comprehensive strategy to
2 respond to local gang-related issues (in-
3 cluding prevention and intervention);

4 (ii) coordinates Federal actions and
5 resources to support local implementation
6 of such comprehensive strategy; and

7 (iii) maximizes the resources available
8 from the various levels of government for
9 responding to gang-related issues; and

10 (F) any other criteria that the Attorney
11 General considers to be appropriate.

12 (5) RELATION TO HIDTAS.—If the Attorney
13 General establishes a high intensity gang activity
14 area that substantially overlaps geographically with
15 any existing high intensity drug trafficking area (in
16 this section referred to as a “HIDTA”), the Attor-
17 ney General shall direct the local collaborative work-
18 ing group for that high intensity gang activity area
19 to enter into an agreement with the Executive Board
20 for that HIDTA, providing that—

21 (A) the Executive Board of that HIDTA
22 shall establish a separate high intensity gang
23 activity area law enforcement steering com-
24 mittee, and select (with a preference for Fed-
25 eral, State, and local law enforcement agencies

1 that are within the geographic area of that high
2 intensity gang activity area) the members of
3 that committee, subject to the concurrence of
4 the Attorney General;

5 (B) the high intensity gang activity area
6 law enforcement steering committee established
7 under subparagraph (A) shall administer the
8 funds provided under subsection (g)(1) for the
9 criminal street gang enforcement team, after
10 consulting with, and consistent with the goals
11 and strategies established by, that local collabo-
12 rative working group;

13 (C) the high intensity gang activity area
14 law enforcement steering committee established
15 under subparagraph (A) shall select, from Fed-
16 eral, State, and local law enforcement agencies
17 within the geographic area of that high inten-
18 sity gang activity area, the members of the
19 Criminal Street Gang Enforcement Team, in
20 accordance with paragraph (3); and

21 (D) the Criminal Street Gang Enforcement
22 Team of that high intensity gang activity area,
23 and its law enforcement steering committee,
24 may, with approval of the Executive Board of
25 the HIDTA with which it substantially over-

1 laps, utilize the intelligence-sharing, administra-
2 tive, and other resources of that HIDTA.

3 (c) REPORTING REQUIREMENTS.—

4 (1) IN GENERAL.—Not later than December 1
5 of each year, the Attorney General shall submit a re-
6 port to the appropriate committees of Congress and
7 the Director of the Office of Management and Budg-
8 et and the Domestic Policy Council that describes,
9 for each designated high intensity gang activity
10 area—

11 (A) the specific long-term and short-term
12 goals and objectives;

13 (B) the measurements used to evaluate the
14 performance of the high intensity gang activity
15 area in achieving the long-term and short-term
16 goals;

17 (C) the age, composition, and membership
18 of gangs;

19 (D) the number and nature of crimes com-
20 mitted by gangs and gang members;

21 (E) the definition of the term “gang” used
22 to compile that report; and

23 (F) the programmatic outcomes and fund-
24 ing needs of the high intensity gang area, in-
25 cluding—

1 (i) an evidence-based analysis of the
2 best practices and outcomes from the work
3 of the relevant local collaborative working
4 group; and

5 (ii) an analysis of whether Federal re-
6 sources distributed meet the needs of the
7 high intensity gang activity area and, if
8 any programmatic funding shortfalls exist,
9 recommendations for programs or funding
10 to meet such shortfalls.

11 (2) APPROPRIATE COMMITTEES.—In this sub-
12 section, the term “appropriate committees of Con-
13 gress” means—

14 (A) the Committee on the Judiciary, the
15 Committee on Appropriations, and the Com-
16 mittee on Health, Education, Labor, and Pen-
17 sions of the Senate; and

18 (B) the Committee on the Judiciary, the
19 Committee on Appropriations, the Committee
20 on Education and Labor, and the Committee on
21 Energy and Commerce of the House of Rep-
22 resentatives.

23 (d) ADDITIONAL ASSISTANT UNITED STATES ATTOR-
24 NEYS.—The Attorney General is authorized to hire 94 ad-
25 ditional Assistant United States attorneys, and non-

1 attorney coordinators and paralegals as necessary, to
2 carry out the provisions of this section.

3 (e) ADDITIONAL DEFENSE COUNSEL.—In each of
4 the fiscal years 2010 through 2014, the Director of the
5 Administrative Office of the United States Courts is au-
6 thorized to hire 71 additional attorneys, nonattorney coor-
7 dinators, and investigators, as necessary, in Federal De-
8 fender Programs and Federal Community Defender Orga-
9 nizations, and to make additional payments as necessary
10 to retain appointed counsel under section 3006A of title
11 18, United States Code, to adequately respond to any in-
12 creased or expanded caseloads that may occur as a result
13 of this Act or the amendments made by this Act. Funding
14 under this subsection shall not exceed the funding levels
15 under subsection (d).

16 (f) NATIONAL GANG RESEARCH, EVALUATION, AND
17 POLICY INSTITUTE.—

18 (1) IN GENERAL.—The Office of Justice Pro-
19 grams of the Department of Justice, after consulting
20 with relevant law enforcement officials, practitioners
21 and researchers, shall establish a National Gang Re-
22 search, Evaluation, and Policy Institute (in this sub-
23 section referred to as the “Institute”).

24 (2) ACTIVITIES.—The Institute shall—

1 (A) promote and facilitate the implementa-
2 tion of data-driven, effective gang violence sup-
3 pression, prevention, intervention, and reentry
4 models, such as the Operation Ceasefire model,
5 the Strategic Public Health Approach, the
6 Gang Reduction Program, or any other prom-
7 ising municipally driven, comprehensive commu-
8 nity-wide strategy that is demonstrated to be
9 effective in reducing gang violence;

10 (B) assist jurisdictions by conducting time-
11 ly research on effective models and designing
12 and promoting implementation of effective local
13 strategies, including programs that have objec-
14 tives and data on how they reduce gang violence
15 (including shootings and killings), using preven-
16 tion, outreach, and community approaches, and
17 that demonstrate the efficacy of these ap-
18 proaches; and

19 (C) provide and contract for technical as-
20 sistance as needed in support of its mission.

21 (3) NATIONAL CONFERENCE.—Not later than
22 90 days after the date of its formation, the Institute
23 shall design and conduct a national conference to re-
24 duce and prevent gang violence, and to teach and
25 promote gang violence prevention, intervention, and

1 reentry strategies. The conference shall be attended
2 by appropriate representatives from criminal street
3 gang enforcement teams, and local collaborative
4 working groups, including representatives of edu-
5 cational, community, religious, and social service or-
6 ganizations, and gang program and policy research
7 evaluators.

8 (4) NATIONAL DEMONSTRATION SITES.—Not
9 later than 120 days after the date of its formation,
10 the Institute shall select appropriate HIGAA areas
11 to serve as primary national demonstration sites,
12 based on the nature, concentration, and distribution
13 of various gang types, the jurisdiction’s established
14 capacity to integrate prevention, intervention, re-
15 entry and enforcement efforts, and the range of par-
16 ticular gang-related issues. After establishing pri-
17 mary national demonstration sites, the Institute
18 shall establish such other secondary sites, to be
19 linked to and receive evaluation, research, and tech-
20 nical assistance through the primary sites, as it may
21 determine appropriate.

22 (5) DISSEMINATION OF INFORMATION.—Not
23 later than 180 days after the date of its formation,
24 the Institute shall develop and begin dissemination
25 of information about methods to effectively reduce

1 and prevent gang violence, including guides, research
2 and assessment models, case studies, evaluations,
3 and best practices. The Institute shall also create a
4 website, designed to support the implementation of
5 successful gang violence prevention models, and dis-
6 seminate appropriate information to assist jurisdic-
7 tions in reducing gang violence.

8 (6) GANG INTERVENTION ACADEMIES.—Not
9 later than 6 months after the date of its formation,
10 the Institute shall, either directly or through con-
11 tracts with qualified nonprofit organizations, estab-
12 lish not less than 1 training academy, located in a
13 high intensity gang activity area, to promote effec-
14 tive gang intervention and community policing. The
15 purposes of an academy established under this para-
16 graph shall be to increase professionalism of gang
17 intervention workers, improve officer training for
18 working with gang intervention workers, create best
19 practices for independent cooperation between offi-
20 cers and intervention workers, and develop training
21 for community policing.

22 (7) SUPPORT.—The Institute shall obtain initial
23 and continuing support from experienced researchers
24 and practitioners, as it determines necessary, to test

1 and assist in implementing its strategies nationally,
2 regionally, and locally.

3 (8) RESEARCH AGENDA.—The Institute shall
4 establish and implement a core research agenda de-
5 signed to address areas of particular challenge, in-
6 cluding—

7 (A) how best to apply and continue to test
8 the models described in paragraph (2) in par-
9 ticularly large jurisdictions;

10 (B) how to foster and maximize the con-
11 tinuing impact of community moral voices in
12 this context;

13 (C) how to ensure the long-term sustain-
14 ability of reduced violent crime levels once ini-
15 tial levels of enthusiasm may subside; and

16 (D) how to apply existing intervention
17 frameworks to emerging local, regional, na-
18 tional, or international gang problems, such as
19 the emergence of the gang known as MS-13.

20 (9) EVALUATION.—The National Institute of
21 Justice shall evaluate, on a continuing basis, com-
22 prehensive gang violence prevention, intervention,
23 suppression, and reentry strategies supported by the
24 Institute, and shall report the results of these eval-
25 uations by no later than October 1 each year to the

1 Committee on the Judiciary of the Senate and the
2 Committee on the Judiciary of the House of Rep-
3 resentatives.

4 (10) FUNDS.—The Attorney General shall use
5 not less than 3 percent, and not more than 5 per-
6 cent, of the amounts made available under this sec-
7 tion to establish and operate the Institute.

8 (g) USE OF FUNDS.—Of amounts made available to
9 a local collaborative working group under this section for
10 each fiscal year that are remaining after the costs of hir-
11 ing a full time coordinator for the local collaborative effort,
12 funds shall be used as follows:

13 (1) GANG ENFORCEMENT AND RESEARCH
14 FUNDING.—Fifty percent of the funds shall be
15 used—

16 (A) for the operation of criminal street
17 gang enforcement teams;

18 (B) for the establishment and operation of
19 the National Gang Research, Evaluation, and
20 Policy Institute; and

21 (C) to support and provide technical assist-
22 ance to research in criminal justice, social serv-
23 ices, and community gang violence prevention
24 collaborations.

1 (2) GANG PREVENTION FUNDING.—Fifty per-
 2 cent of the funds shall be used to provide at-risk
 3 youth with positive alternatives to gangs and other
 4 violent groups and to address the needs of those who
 5 leave gangs and other violent groups through—

6 (A) service providers in the community, in-
 7 cluding schools, school districts, and county of-
 8 fices of education that are engaged in activities
 9 that offer support and assistance to local edu-
 10 cational agencies; and

11 (B) faith leaders and other individuals ex-
 12 perienced at reaching youth who have been in-
 13 volved in violence and violent gangs or groups.

14 (h) AUTHORIZATION OF APPROPRIATIONS.—There
 15 are authorized to be appropriated to carry out this section
 16 \$100,000,000 for each of fiscal years 2010 through 2014.
 17 Any funds made available under this subsection shall re-
 18 main available until expended.

19 **SEC. 302. GANG PREVENTION GRANTS.**

20 (a) AUTHORITY TO MAKE GRANTS.—

21 (1) GRANTS AUTHORIZED.—The Office of Jus-
 22 tice Programs of the Department of Justice may
 23 make grants, in accordance with such regulations as
 24 the Attorney General may prescribe, to States, units
 25 of local government, tribal governments, and quali-

1 fied private entities, to develop community-based
2 programs that provide crime prevention, research,
3 and intervention services that are designed for gang
4 members and at-risk youth.

5 (2) SELECTION PRIORITY.—In selecting entities
6 to receive grants under this section, the Office of
7 Justice Programs shall give priority to entities
8 that—

9 (A) have a comprehensive strategy to carry
10 out community-based programs described in
11 paragraph (1) to respond to local gang-related
12 issues (including prevention and intervention),
13 or, with respect to States or qualified private
14 entities that are not able to carry out such a
15 strategy in a local community, coordinate with
16 a local entity in such community to carry out
17 the comprehensive strategy of such local entity;

18 (B) coordinate Federal actions and re-
19 sources to support local implementation of such
20 comprehensive strategies; and

21 (C) maximize the resources available from
22 the various levels of government for such com-
23 munity-based programs.

24 (b) USE OF GRANT AMOUNTS.—A grant under this
25 section may be used (including through subgrants) for—

1 (1) preventing initial gang recruitment and in-
2 volvement among younger teenagers;

3 (2) reducing gang involvement through non-
4 violent and constructive activities, such as commu-
5 nity service programs, development of nonviolent
6 conflict resolution skills, employment and legal as-
7 sistance, family counseling, and other safe, commu-
8 nity-based alternatives for high-risk youth;

9 (3) developing in-school and after-school gang
10 safety, control, education, and resistance procedures
11 and programs;

12 (4) identifying and addressing early childhood
13 risk factors for gang involvement, including parent
14 training and childhood skills development;

15 (5) identifying and fostering protective factors
16 that buffer children and adolescents from gang in-
17 volvement;

18 (6) developing and identifying investigative pro-
19 grams designed to deter gang recruitment, involve-
20 ment, and activities through effective intelligence
21 gathering;

22 (7) developing programs and youth centers for
23 first-time nonviolent offenders facing alternative
24 penalties, such as mandated participation in commu-

1 nity service, restitution, counseling, and education
2 and prevention programs;

3 (8) implementing regional, multidisciplinary ap-
4 proaches to combat gang violence through coordi-
5 nated programs for prevention and intervention (in-
6 cluding street outreach programs and other peace-
7 making activities) or coordinated law enforcement
8 activities that enhance reintegration strategies for
9 offender reentry; or

10 (9) identifying at-risk and high-risk students
11 through home visits organized through joint collabo-
12 rations between law enforcement, faith-based organi-
13 zations, schools, and social workers.

14 (c) GRANT REQUIREMENTS.—

15 (1) MAXIMUM.—The amount of a grant under
16 this section may not exceed \$1,000,000.

17 (2) CONSULTATION AND COOPERATION.—Each
18 recipient of a grant under this section shall have in
19 effect on the date of the application by that entity
20 agreements to consult and cooperate with local,
21 State, or Federal law enforcement and participate,
22 as appropriate, in coordinated efforts to reduce gang
23 activity and violence.

24 (d) ANNUAL REPORTS.—

1 (1) RECIPIENTS.—Each recipient of a grant
2 under this section shall submit to the Attorney Gen-
3 eral, for each year in which funds from a grant re-
4 ceived under this section are expended, a report con-
5 taining—

6 (A) a summary of the activities carried out
7 with grant funds during that year;

8 (B) an assessment of the effectiveness of
9 the crime prevention, research, and intervention
10 activities of the recipient, based on data col-
11 lected by the grant recipient;

12 (C) a strategic plan for the year following
13 the year described in paragraph (1);

14 (D) evidence of consultation and coopera-
15 tion with local, State, or Federal law enforce-
16 ment or, if the grant recipient is a government
17 entity, evidence of consultation with an organi-
18 zation engaged in any activity described in sub-
19 section (b); and

20 (E) such other information as the Attorney
21 General may require.

22 (2) ATTORNEY GENERAL.—Not later than one
23 year after the date of the enactment of this Act, and
24 annually thereafter, the Attorney General shall sub-
25 mit to Congress a report, based on the reports sub-

1 mitted under paragraph (1), identifying the best
2 practices of grant recipients under this section for
3 responding to gang-related issues, and important re-
4 search relating to such best practices and issues.
5 The Attorney General shall make such report pub-
6 licly available.

7 (e) DEFINITION.—In this section, the term “units of
8 local government” includes sheriffs departments, police
9 departments, and local prosecutor offices.

10 (f) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated for grants under this
12 section \$50,000,000 for each of the fiscal years 2010
13 through 2014.

14 **SEC. 303. ENHANCEMENT OF PROJECT SAFE NEIGHBOR-**
15 **HOODS INITIATIVE TO IMPROVE ENFORCE-**
16 **MENT OF CRIMINAL LAWS AGAINST VIOLENT**
17 **GANGS.**

18 (a) IN GENERAL.—While maintaining the focus of
19 Project Safe Neighborhoods as a comprehensive, strategic
20 approach to reducing gun violence in America, the Attor-
21 ney General is authorized to expand the Project Safe
22 Neighborhoods program to require each United States at-
23 torney to—

1 (1) identify, investigate, and prosecute signifi-
2 cant criminal street gangs operating within their dis-
3 trict; and

4 (2) coordinate the identification, investigation,
5 and prosecution of criminal street gangs among Fed-
6 eral, State, and local law enforcement agencies.

7 (b) ADDITIONAL STAFF FOR PROJECT SAFE NEIGH-
8 BORHOODS.—

9 (1) IN GENERAL.—The Attorney General may
10 hire Assistant United States attorneys, non-attorney
11 coordinators, or paralegals to carry out the provi-
12 sions of this section.

13 (2) ENFORCEMENT.—The Attorney General
14 may hire Bureau of Alcohol, Tobacco, Firearms, and
15 Explosives agents for, and otherwise expend addi-
16 tional resources in support of, the Project Safe
17 Neighborhoods/Firearms Violence Reduction pro-
18 gram.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated \$20,000,000 for each
21 of the fiscal years 2010 through 2014 to carry out this
22 section. Any funds made available under this paragraph
23 shall remain available until expended.

1 **SEC. 304. ADDITIONAL RESOURCES NEEDED BY THE FED-**
2 **ERAL BUREAU OF INVESTIGATION TO INVES-**
3 **TIGATE AND PROSECUTE VIOLENT CRIMINAL**
4 **STREET GANGS.**

5 (a) EXPANSION OF SAFE STREETS PROGRAM.—The
6 Attorney General is authorized to expand the Safe Streets
7 Program of the Federal Bureau of Investigation for the
8 purpose of supporting criminal street gang enforcement
9 teams.

10 (b) NATIONAL GANG ACTIVITY DATABASE.—

11 (1) IN GENERAL.—The Attorney General shall
12 establish a National Gang Activity Database to be
13 housed at and administered by the Department of
14 Justice.

15 (2) DESCRIPTION.—The database required by
16 paragraph (1) shall—

17 (A) be designed to disseminate gang infor-
18 mation to law enforcement agencies throughout
19 the country and, subject to appropriate con-
20 trols, to disseminate aggregate statistical infor-
21 mation to other members of the criminal justice
22 system, community leaders, academics, and the
23 public;

24 (B) contain critical information on gangs,
25 gang members, firearms, criminal activities, ve-
26 hicles, and other information useful for inves-

1 tigators in solving and reducing gang-related
2 crimes;

3 (C) operate in a manner that enables law
4 enforcement agencies to—

5 (i) identify gang members involved in
6 crimes;

7 (ii) track the movement of gangs and
8 members throughout the region;

9 (iii) coordinate law enforcement re-
10 sponse to gang violence;

11 (iv) enhance officer safety;

12 (v) provide realistic, up-to-date figures
13 and statistical data on gang crime and vio-
14 lence;

15 (vi) forecast trends and respond ac-
16 cordingly; and

17 (vii) more easily solve crimes and pre-
18 vent violence; and

19 (D) be subject to guidelines, issued by the
20 Attorney General, specifying the criteria for
21 adding information to the database, the appro-
22 priate period for retention of such information,
23 and a process for removing individuals from the
24 database, and prohibiting disseminating gang
25 information to any entity that is not a law en-

1 forcement agency, except aggregate statistical
2 information where appropriate.

3 (3) USE OF RISS SECURE INTRANET.—From
4 amounts made available to carry out this section, the
5 Attorney General shall provide the Regional Infor-
6 mation Sharing Systems such sums as are necessary
7 to use the secure intranet known as RISSNET to
8 electronically connect existing gang information sys-
9 tems (including the RISSGang National Gang Data-
10 base) with the National Gang Activity Database,
11 thereby facilitating the automated information ex-
12 change of existing gang data by all connected sys-
13 tems without the need for additional databases or
14 data replication.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—

16 (1) IN GENERAL.—In addition to amounts oth-
17 erwise authorized, there are authorized to be appro-
18 priated to the Attorney General \$10,000,000 for
19 each of the fiscal years 2010 through 2014 to carry
20 out this section.

21 (2) AVAILABILITY.—Any amounts appropriated
22 under paragraph (1) shall remain available until ex-
23 pended.

1 **SEC. 305. GRANTS TO PROSECUTORS AND LAW ENFORCE-**
2 **MENT TO COMBAT VIOLENT CRIME.**

3 (a) IN GENERAL.—Section 31702 of the Violent
4 Crime Control and Law Enforcement Act of 1994 (42
5 U.S.C. 13862) is amended—

6 (1) in paragraph (3), by striking “and” at the
7 end;

8 (2) in paragraph (4), by striking the period at
9 the end and inserting a semicolon; and

10 (3) by adding at the end the following:

11 “(5) to hire additional prosecutors to—

12 “(A) allow more cases to be prosecuted;

13 and

14 “(B) reduce backlogs; and

15 “(6) to fund technology, equipment, and train-
16 ing for prosecutors and law enforcement in order to
17 increase accurate identification of gang members
18 and violent offenders, and to maintain databases
19 with such information to facilitate coordination
20 among law enforcement and prosecutors.”.

21 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
22 31707 of the Violent Crime Control and Law Enforcement
23 Act of 1994 (42 U.S.C. 13867) is amended to read as
24 follows:

1 **“SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated
3 \$20,000,000 for each of the fiscal years 2010 through
4 2014 to carry out this subtitle.”.

5 **SEC. 306. TRAINING AT THE NATIONAL ADVOCACY CENTER.**

6 (a) IN GENERAL.—The National District Attorneys
7 Association may use the services of the National Advocacy
8 Center in Columbia, South Carolina, to conduct a national
9 training program for State and local prosecutors for the
10 purpose of improving the professional skills of State and
11 local prosecutors and enhancing the ability of Federal,
12 State, and local prosecutors to work together.

13 (b) TRAINING.—The National Advocacy Center in
14 Columbia, South Carolina, may provide comprehensive
15 continuing legal education in the areas of trial practice,
16 substantive legal updates, and support staff training.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to the Attorney General
19 to carry out this section \$6,500,000, to remain available
20 until expended, for fiscal years 2010 through 2013.

21 **SEC. 307. SHORT-TERM STATE WITNESS PROTECTION SEC-**
22 **TION.**

23 (a) ESTABLISHMENT.—

24 (1) IN GENERAL.—Chapter 37 of title 28,
25 United States Code, is amended by adding at the
26 end the following:

1 **“§ 570. Short-Term State Witness Protection Section**

2 “(a) IN GENERAL.—There is established in the
3 United States Marshals Service a Short-Term State Wit-
4 ness Protection Section which shall provide protection for
5 witnesses in State and local trials involving homicide or
6 other major violent crimes pursuant to cooperative agree-
7 ments with State and local criminal prosecutor’s offices
8 and the United States attorney for the District of Colum-
9 bia.

10 “(b) ELIGIBILITY.—

11 “(1) IN GENERAL.—The Short-Term State Wit-
12 ness Protection Section shall give priority in award-
13 ing grants and providing services to—

14 “(A) criminal prosecutor’s offices for
15 States with an average of not less than 100
16 murders per year; and

17 “(B) criminal prosecutor’s offices for juris-
18 dictions that include a city, town, or township
19 with an average violent crime rate per 100,000
20 inhabitants that is above the national average.

21 “(2) CALCULATION.—The rate of murders and
22 violent crime under paragraph (1) shall be calculated
23 using the latest available crime statistics from the
24 Federal Bureau of Investigation during the 5-year
25 period immediately preceding an application for pro-
26 tection.”.

1 (2) CHAPTER ANALYSIS.—The chapter analysis
2 for chapter 37 of title 28, United States Code, is
3 amended by striking the items relating to sections
4 570 through 576 and inserting the following:

“570. Short-Term State Witness Protection Section.”.

5 (b) GRANT PROGRAM.—

6 (1) DEFINITIONS.—In this subsection—

7 (A) the term “eligible prosecutor’s office”
8 means a State or local criminal prosecutor’s of-
9 fice or the United States attorney for the Dis-
10 trict of Columbia; and

11 (B) the term “serious violent felony” has
12 the same meaning as in section 3559(c)(2) of
13 title 18, United States Code.

14 (2) GRANTS AUTHORIZED.—

15 (A) IN GENERAL.—The Attorney General
16 is authorized to make grants to eligible prosecu-
17 tor’s offices for purposes of identifying wit-
18 nesses in need of protection or providing short
19 term protection to witnesses in trials involving
20 homicide or serious violent felony.

21 (B) ALLOCATION.—Each eligible prosecu-
22 tor’s office receiving a grant under this sub-
23 section may—

24 (i) use the grant to identify witnesses
25 in need of protection or provide witness

1 protection (including tattoo removal serv-
2 ices); or

3 (ii) pursuant to a cooperative agree-
4 ment with the Short-Term State Witness
5 Protection Section of the United States
6 Marshals Service, credit the grant to the
7 Short-Term State Witness Protection Sec-
8 tion to cover the costs to the section of
9 providing witness protection on behalf of
10 the eligible prosecutor's office.

11 (3) APPLICATION.—

12 (A) IN GENERAL.—Each eligible prosecu-
13 tor's office desiring a grant under this sub-
14 section shall submit an application to the Attor-
15 ney General at such time, in such manner, and
16 accompanied by such information as the Attor-
17 ney General may reasonably require.

18 (B) CONTENTS.—Each application sub-
19 mitted under subparagraph (A) shall—

20 (i) describe the activities for which as-
21 sistance under this subsection is sought;
22 and

23 (ii) provide such additional assurances
24 as the Attorney General determines to be

1 essential to ensure compliance with the re-
2 quirements of this subsection.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 \$90,000,000 for each of fiscal years 2010 through 2012.

6 **SEC. 308. WITNESS PROTECTION SERVICES.**

7 Section 3526 of title 18, United States Code (Co-
8 operation of other Federal agencies and State govern-
9 ments; reimbursement of expenses), is amended by adding
10 at the end the following:

11 “(c) In any case in which a State government re-
12 quests the Attorney General to provide temporary protec-
13 tion under section 3521(e) of this title, the costs of pro-
14 viding temporary protection are not reimbursable if the
15 investigation or prosecution in any way relates to crimes
16 of violence committed by a criminal street gang, as defined
17 under the laws of the relevant State seeking assistance
18 under this title.”.

19 **SEC. 309. EXPANSION OF FEDERAL WITNESS RELOCATION**
20 **AND PROTECTION PROGRAM.**

21 Section 3521(a)(1) of title 18, United States Code,
22 is amended by inserting “, criminal street gang, serious
23 drug offense, homicide,” after “organized criminal activ-
24 ity”.

1 **SEC. 310. FAMILY ABDUCTION PREVENTION GRANT PRO-**
2 **GRAM.**

3 (a) STATE GRANTS.—The Attorney General is au-
4 thorized to make grants to States for projects involving—

5 (1) the extradition of individuals suspected of
6 committing a family abduction;

7 (2) the investigation by State and local law en-
8 forcement agencies of family abduction cases;

9 (3) the training of State and local law enforce-
10 ment agencies in responding to family abductions
11 and recovering abducted children, including the de-
12 velopment of written guidelines and technical assist-
13 ance;

14 (4) outreach and media campaigns to educate
15 parents on the dangers of family abductions; and

16 (5) the flagging of school records.

17 (b) MATCHING REQUIREMENT.—Not less than 50
18 percent of the cost of a project for which a grant is made
19 under this section shall be provided by non-Federal
20 sources.

21 (c) DEFINITIONS.—In this section:

22 (1) FAMILY ABDUCTION.—The term “family
23 abduction” means the taking, keeping, or concealing
24 of a child or children by a parent, other family mem-
25 ber, or person acting on behalf of the parent or fam-

1 ily member, that prevents another individual from
2 exercising lawful custody or visitation rights.

3 (2) FLAGGING.—The term “flagging” means
4 the process of notifying law enforcement authorities
5 of the name and address of any person requesting
6 the school records of an abducted child.

7 (3) STATE.—The term “State” means each of
8 the several States, the District of Columbia, the
9 Commonwealth of Puerto Rico, the Commonwealth
10 of the Northern Mariana Islands, American Samoa,
11 Guam, the Virgin Islands, any territory or posses-
12 sion of the United States, and any Indian tribe.

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this section
15 \$500,000 for fiscal year 2010 and such sums as may be
16 necessary for each of fiscal years 2011 and 2012.

17 **SEC. 311. STUDY ON ADOLESCENT DEVELOPMENT AND**
18 **SENTENCES IN THE FEDERAL SYSTEM.**

19 (a) IN GENERAL.—The United States Sentencing
20 Commission shall conduct a study to examine the appro-
21 priateness of sentences for minors in the Federal system.

22 (b) CONTENTS.—The study conducted under sub-
23 section (a) shall—

1 (1) incorporate the most recent research and
2 expertise in the field of adolescent brain development
3 and culpability;

4 (2) evaluate the toll of juvenile crime, particu-
5 larly violent juvenile crime, on communities;

6 (3) consider the appropriateness of life sen-
7 tences without possibility for parole for minor of-
8 fenders in the Federal system; and

9 (4) evaluate issues of recidivism by juveniles
10 who are released from prison or detention after serv-
11 ing determinate sentences.

12 (c) REPORT.—Not later than 1 year after the date
13 of enactment of this Act, the United States Sentencing
14 Commission shall submit to Congress a report regarding
15 the study conducted under subsection (a), which shall—

16 (1) include the findings of the Commission;

17 (2) describe significant cases reviewed as part
18 of the study; and

19 (3) make recommendations, if any.

20 (d) REVISION OF GUIDELINES.—If determined ap-
21 propriate by the United States Sentencing Commission,
22 after completing the study under subsection (a) the Com-
23 mission may, pursuant to its authority under section 994
24 of title 28, United States Code, establish or revise guide-
25 lines and policy statements, as warranted, relating to the

1 sentencing of minors under this Act or the amendments
2 made by this Act.

3 **TITLE IV—RESOURCES TO**
4 **STRENGTHEN EMPLOYMENT**
5 **AND EDUCATION OPPORTUNI-**
6 **TIES FOR FORMER OFFEND-**
7 **ERS**

8 **SEC. 401. GRANTS TO ASSIST JUVENILE OFFENDER RE-**
9 **INTEGRATION PROJECTS.**

10 (a) **AUTHORITY TO MAKE GRANTS FOR JUVENILE**
11 **OFFENDER REINTEGRATION PROJECTS.**—From amounts
12 made available to carry out this section, the Secretary of
13 Labor, in consultation with the Attorney General, shall
14 make grants to carry out juvenile offender reintegration
15 projects that are designed to provide services to eligible
16 juvenile offenders that will reduce recidivism, increase
17 educational attainment, and enhance long-term employ-
18 ability of such offenders. Such grants may be awarded to
19 nonprofit organizations, workforce investment boards es-
20 tablished under title I of the Workforce Investment Act
21 of 1998, States, and units of local government.

22 (b) **DEFINITIONS.**—For the purposes of this section:

23 (1) **ELIGIBLE JUVENILE OFFENDERS.**—The
24 term “eligible juvenile offenders” means individuals
25 who—

1 (A) are 14 to 21 years of age; and

2 (B) have been involved in the criminal jus-
3 tice system for a gang-related offense during
4 the one-year period immediately preceding the
5 date on which a determination of eligibility is
6 made.

7 (2) INVOLVED IN THE CRIMINAL JUSTICE SYS-
8 TEM.—The term “involved in the criminal justice
9 system” means, with respect to an individual, that
10 the individual is being held in a juvenile or adult
11 correctional facility or detention center, has been re-
12 leased from a juvenile or adult correctional facility
13 or detention center, has been sentenced in court to
14 probation or an alternative sentence, or has been re-
15 ferred by court personnel to an alternative program.

16 (c) USE OF FUNDS.—

17 (1) IN GENERAL.—Funds for juvenile offender
18 reintegration projects under this section may be ex-
19 pended for—

20 (A) providing tutoring, dropout prevention
21 activities, academic credit retrieval activities,
22 basic skills instruction and remedial education,
23 and language instruction for individuals with
24 limited English proficiency, in order to assist el-
25 igible juvenile offenders in obtaining a high

1 school diploma or GED or to participate in
2 postsecondary education;

3 (B) providing career exploration and edu-
4 cation activities, pre-apprenticeship activities,
5 activities relating to the attainment of industry-
6 recognized credentials, and activities to increase
7 placement in registered apprenticeship pro-
8 grams for eligible juvenile offenders;

9 (C) mentoring eligible juvenile offenders,
10 including the provision of support, guidance,
11 and assistance to address the challenges faced
12 by such juvenile offenders in reintegrating into
13 the community;

14 (D) providing job training and job place-
15 ment services to eligible juvenile offenders, in-
16 cluding work readiness activities, job referrals,
17 educational services, occupational skills train-
18 ing, on-the-job training, and paid and unpaid
19 work experience (including internships and job
20 shadowing activities);

21 (E) providing outreach, orientation, intake,
22 assessments, counseling, case management, per-
23 sonal development activities, and other transi-
24 tional services to eligible juvenile offenders; and

1 (F) providing follow-up services to eligible
2 juvenile offenders that will assist in advance-
3 ment in education and employment.

4 (2) LIMITATION ON USE OF FUNDS.—Not more
5 than 15 percent of the funds awarded to a grantee
6 under this section may be used for administrative
7 costs necessary to carry out a project under this sec-
8 tion.

9 (d) APPLICATION.—To be considered to receive a
10 grant under this section to carry out a juvenile offender
11 reintegration project, a nonprofit organization, workforce
12 investment board established under title I of the Work-
13 force Investment Act of 1998, State, or unit of local gov-
14 ernment, or a combination thereof, shall submit an appli-
15 cation to the Secretary of Labor at such time, in such
16 manner and accompanied by such information as the Sec-
17 retary of Labor may require. Such application shall in-
18 clude—

19 (1) a plan describing the design of the project
20 to assist eligible juvenile offenders, including services
21 to be provided to such offenders;

22 (2) a description of any partnerships between
23 the applicant and Federal, State, or local criminal
24 justice agencies, workforce investment boards,
25 schools and institutions of higher education, busi-

1 nesses, and service providers in the community, in-
2 cluding those experienced in—

3 (A) reaching youth and adults who have
4 been involved in violence and violent gangs or
5 groups;

6 (B) providing gang-involved or seriously
7 at-risk youth with positive alternatives to gangs
8 and other violent groups; and

9 (C) addressing the needs of individuals
10 who leave gangs and other violent groups, and
11 individuals reentering society from prison; and

12 (3) an assurance that the applicant will provide
13 not less than 25 percent of the cost of the project
14 to assist eligible juvenile offenders from non-Federal
15 sources.

16 (e) PERFORMANCE OUTCOMES.—

17 (1) CORE INDICATORS.—Each grantee receiving
18 funds to carry out a project under this section shall
19 report to the Secretary of Labor on the results ob-
20 tained by the eligible juvenile offenders served by the
21 activities under the grant with respect to the fol-
22 lowing indicators of performance:

23 (A) Rates of recidivism.

1 (B) Placement in employment or postsec-
2 ondary education for eligible juvenile offenders
3 age 18 or older.

4 (C) Attainment of a degree or certificate
5 (including a high school diploma, the recognized
6 equivalent of such a diploma, or a certificate of
7 graduation from trade school).

8 (D) Literacy and numeracy gains.

9 (2) ADDITIONAL INDICATORS.—In addition to
10 the indicators described in paragraph (1), the Sec-
11 retary may require grantees carrying out projects
12 under this section to report on additional indicators
13 of performance.

14 (f) REPORTS.—Each grantee receiving funds to carry
15 out a project under this section shall maintain such
16 records and submit such reports, in such form and con-
17 taining such information, as the Secretary of Labor may
18 require regarding the activities carried out and the per-
19 formance of such projects.

20 (g) TECHNICAL ASSISTANCE.—The Secretary may
21 reserve not more than 4 percent of the funds appropriated
22 under this section to provide technical assistance and for
23 management information systems to assist grantees under
24 this section.

1 (h) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary of
3 Labor to carry out this section \$20,000,000 for each of
4 the fiscal years 2010 through 2014.

5 **SEC. 402. EMPLOYMENT AND EDUCATION GRANTS TO AS-**
6 **SIST IN REDUCING RECIDIVISM.**

7 (a) GRANTS FOR EMPLOYMENT SERVICES FOR
8 YOUNG ADULT GANG MEMBERS.—From the amounts
9 made available to carry out this subsection, the Secretary
10 of Labor, in consultation with the Attorney General, shall
11 make grants to nonprofit organizations to carry out em-
12 ployment programs for young adult gang members that
13 are designed to reduce recidivism and enhance long-term
14 employability.

15 (b) USE OF FUNDS.—

16 (1) APPRENTICESHIP AND PRE-APPRENTICE-
17 SHIP PROGRAMS.—Funds awarded under this sub-
18 section shall be used to provide education and train-
19 ing services to young adult gang members as part
20 of, or to supplement, registered apprenticeship pro-
21 grams in the construction or other industries or pre-
22 apprenticeship programs that are certified by a reg-
23 istered apprenticeship program in the construction
24 or other industries.

1 (2) OTHER ACTIVITIES.—In addition to the ac-
 2 tivities described in paragraph (1), funds awarded
 3 under this subsection may be used to provide out-
 4 reach, orientation, intake, assessments, counseling,
 5 case management, personal business development
 6 and entrepreneurial activities, supportive services,
 7 and follow-up services to young adult gang members.

8 (c) APPLICATION.—To be considered to receive a
 9 grant under subsection (a), a nonprofit organization shall
 10 submit an application to the Secretary of Labor at such
 11 time, in such manner and accompanied by such informa-
 12 tion as the Secretary of Labor may require. At a min-
 13 imum, the application shall include—

14 (1) a description of the need for projects relat-
 15 ing to gang members in the geographic area to be
 16 served by the grant;

17 (2) a plan describing the design of the project,
 18 including services to be provided; and

19 (3) a description of partnerships that will sup-
 20 port the project.

21 (d) PERFORMANCE OUTCOMES.—

22 (1) CORE INDICATORS.—

23 (A) YOUNG ADULT GANG MEMBERS.—

24 Each grantee receiving funds to carry out a
 25 project under subsection (a) shall report to the

1 Secretary of Labor on the results obtained by
2 young adult gang members served under the
3 grant with respect to the following indicators of
4 performance:

- 5 (i) Rates of recidivism.
- 6 (ii) Placement in employment.
- 7 (iii) Retention in employment.
- 8 (iv) Earnings.

9 (2) ADDITIONAL INDICATORS.—In addition to
10 the indicators described in paragraph (1), the Sec-
11 retary of Labor may require grantees carrying out
12 projects under subsection (a) to report on additional
13 indicators of performance.

14 (e) REPORTS.—Each grantee receiving funds to carry
15 out a project under subsection (a) shall maintain such
16 records and submit such reports, in such form and con-
17 taining such information, as the Secretary of Labor may
18 require regarding the activities carried out and the per-
19 formance of such projects.

20 (f) TECHNICAL ASSISTANCE.—The Secretary of
21 Labor may reserve not more than 2 percent of the funds
22 appropriated under this section to provide technical assist-
23 ance.

1 (g) DEFINITION.—For purposes of this subsection,
2 the term “young adult gang member” means an individual
3 who—

4 (1) is not younger than age 17 or older than
5 age 24; and

6 (2) has been arrested or adjudicated in the ju-
7 venile justice system or the adult criminal justice
8 system for a gang-related offense.

9 (h) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to the Secretary of
11 Labor to carry out this section \$20,000,000 for each of
12 the fiscal years 2010 through 2014.

○